

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARBOR PLASTIC
TECHNOLOGIES, LLC,

Plaintiff,

v.

CASE NO: 21-CV-11194

J. STERLING
INDUSTRIES, LTD

Defendant.

/

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter is before the court on Defendant J. Sterling Industries, LTD's motion for relief from default and default judgment. The case was referred to United States Magistrate Anthony P. Patti pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. The magistrate judge issued his report on July 25, 2022 recommending that this court grant Defendant's motion for relief from default and default judgment and allow the case to proceed on the merits, except for costs under E.D. Mich.LR 7.1(a)(3). No objections have been filed pursuant to 28 U.S.C. §636(b)(1)(C), thus further appeal rights are waived.¹

Accordingly, the court ADOPTS the recommended findings and conclusions of the Magistrate Judge.

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

ORDER

IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, the Defendant J. Sterling Industries' [47] Motion for relief from default and default judgment is **GRANTED** and the case shall proceed on the merits, except as to its request for costs. The clerk is directed to reopen the case, and a follow-up telephone status conference is set for **August 24, 2022 at 10:00 am**. Call in information will be provided to counsel via email.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 9, 2022

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, August 9, 2022, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522